

PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES
ROSE ROOM: CREEKMORE PARK COMMUNITY CENTER
April 9, 2019 – 5:30 P.M.

Before calling the meeting to order, Chairman Keesee asked everyone to stand for the Pledge of Allegiance. On roll call, the following commissioners were present: Don Keesee, Richard Morris, Vicki Newton, Kelly Wilson, Ret Taylor, Marshall Sharpe, Griffin Hanna and Bob Cooper. Shane Laster was absent.

Chairman Keesee announced the resignation of Shane Laster and that this was the last meeting for Marshall Sharpe and Bob Cooper.

Chairman Keesee then called for a motion on the minutes from the March 12, 2019, meeting. Commissioner Morris made one amendment. Commissioner Taylor moved, seconded by Commissioner Sharpe, to approve the minutes as corrected.

Mr. Wally Bailey spoke on the procedures.

1. Rezoning #3-2-19; A request by Carroll King, owner, for zone change from not zoned to a Planned Zoning District (PZD) at 7704, 7708 and 7714 Fort Chaffee Boulevard (Table March 12, 2019)

Chairman Keesee introduced item 1. He stated that this item had been tabled at the February and March meetings to allow time for land use issues to be resolved by the Fort Chaffee Redevelopment Authority's Real Estate Committee. Chairman Keesee indicated that the Real Estate Committee had met and was currently working on the issue, but no action had been taken. He asked the planning commission to consider tabling the item until the FCRA takes action. Commissioner Taylor moved, seconded by Commissioner Wilson to table the request until action had been taken by the FCRA.

No one was present to speak in favor or opposition of the application.

There being no discussion, Chairman Keesee called for a vote. The vote was 7 in favor and 1 abstention (Cooper). Chairman Keesee announced the tabling of this item was approved.

2. Huntington Chase Commercial Park, Phase II – Final Plat – A request by Crafton Tull & Associates.

Chairman Keesee introduced item 2. Ms. Brenda Andrews read the staff report indicating the approval of the proposed final plat would facilitate future commercial development of the property; however, at this time no specific development is proposed. Ms. Andrews stated that the property is located on Hutcheson Court, comprised of three lots, containing approximately 9 acres.

Conner Threet was present to represent this application. No one was present to speak in favor or opposition of these applications.

Chairman Keesee called for a motion on the application. Commissioner Taylor, seconded by Commissioner Wilson, motioned to approve the request, subject to the following:

After all required approvals of the plat and the affixing of all required signatures on the original tracing and other copies and associated documents, the plat will be filed with the Sebastian County Clerk.

Commissioner Taylor asked for clarification regarding unbuildable lot. Mr. Threet explained that Lot 1A is considered wetlands and is located in a flood zone.

Chairman Keesee called for a vote on the motion to approve the item with staff comments. The vote was 7 in favor and 1 abstention (Cooper). Chairman Keesee announced the final plat was approved.

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- 3. Variance #10-4-19; A request by Ricky Hill, agent for A.B. Littlefield III, for a variance from gasoline sales setback requirements to allow a pump island and supportive canopy posts from 20' to 11' and an island canopy overhang from 10' to 2' from a public right of-way at 3401 Cavanaugh Road.**

Chairman Keesee introduced item 3. Mr. Wally Bailey read the staff report indicating approval of the variance request would allow for the replacement of the existing damaged canopy. Mr. Bailey stated that balcony was damaged in a windstorm. He then read from the UDO Section 27-118-3 regarding nonconforming structures. Mr. Bailey stated that nonconforming structures may continue until destroyed or damaged. He stated that if the structure does become destroyed or damaged to the extent that the cost of repairs is more than 50 percent of the value, then several conditions must be met, one being the approval of a conditional use permit. Mr. Bailey explained that by approving the variance, the applicant could avoid the inconvenience of obtaining a conditional use permit upon each replacement.

Ricky Hill was present to represent the application. No one was present in opposition of the application.

Chairman Keesee called for a motion on the application. Commissioner Cooper, seconded by Commissioner Hanna, to approve the request as submitted. Chairman Keesee called for a vote on the motion to approve the item with staff comments. The vote was 8 in favor and 0 opposed. Chairman Keesee announced the variance was approved.

- 4. Variance #12-4-19; A request by Neal Morrison, agent for Marion Driscoll, for an interior side-yard setback from 20' to 7' at 7111 Phoenix Avenue.**

Chairman Keesee introduced item 4. Ms. Maggie Rice read the staff report indicating the approval of the variance request would allow a 7' interior side yard setback for an approximate

20' by 14' storage building constructed of high-quality materials, associated with the hotel development.

No one was present to speak for or against this application.

Chairman Keesee called for a motion on the variance. Commissioner Cooper moved, seconded by Commissioner Wilson, to approve the variance request with the following conditions:

Compliance with the submitted site plan and with the UDO's requirement regarding high quality materials. The vote was 8 in favor and 0 opposed. Chairman Keesee announced the variance was approved

- 5. Variance #11-4-19; A request by Ron Brixey, agent for Jeff Fenwick, from required street access of residential collector or higher and perimeter landscaping and parking lot screening requirements at 1901 South Boston Street.**
- 6. Rezoning Application #6-4-19; A request by Ron Brixey, agent for Jeff Fenwick, for zone change from Transitional (T-1) to Commercial Neighborhood Compatible (C-1) by classification at 1901 South Boston Street.**
- 7. Conditional Use #7-4-19; A request by Ron Brixey, agent for Jeff Fenwick, for a Barber Shop/ Salon/ Spa/ Massage Services at 1901 South Boston Street.**

Chairman Keesee introduced items 5, 6 and 7. Ms. Brenda Andrews read the staff reports indicating the purpose of the Variance, Rezoning, and Conditional Use would allow the reuse of the existing building as a salon. Ms. Andrews stated that the property was located on the north side of Boston Street and west of Jenny Lind Road containing approximately 0.17 acres with about 88 feet of street frontage along Boston Street. Ms. Andrews indicated the existing parking lot area would provide the minimum number required parking spaces, but only if the variance is granted to eliminate the perimeter landscape and parking lot screening along the street right-of-way. Ms. Andrews stated that in lieu of placing the landscaping in front of the new parking area, the applicant proposed to remove existing concrete in front of the building to create a 10 foot wide landscape buffer.

Ron Brixey was present to represent the applications for 5, 6 and 7. No one was present to speak in opposition of these applications.

Chairman Keesee called for a motion on item 5—the variance. Commissioner Taylor moved, seconded by Commissioner Newton, to approve the variance subject to the submitted site plan which includes a 10-foot wide landscape buffer adjacent to Boston Street in front of the existing building.

Chairman Keesee called for a vote. The vote was 8 in favor and 0 opposition. Chairman Keesee announced the request was approved.

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- 6. Rezoning Application #6-4-19; A request by Ron Brixey, agent for Jeff Fenwick, for zone change from Transitional (T-1) to Commercial Neighborhood Compatible (C-1) by classification at 1901 South Boston Street.**

Chairman Keesee called for a motion on item 6—the rezoning application. Commissioner Cooper moved, seconded by Commissioner Sharpe, to approve the rezoning application, subject to the following staff comments:

- Contingent upon the approval of the companion conditional use application

Chairman Keesee called for a vote. The vote was 8 in favor and 0 opposition. Chairman Keesee announced the request was approved.

- 7. Conditional Use #7-4-19; A request by Ron Brixey, agent for Jeff Fenwick, for a Barber Shop/ Salon/ Spa/ Massage Services at 1901 South Boston Street.**

Chairman Keesee called for a motion on item 7—the conditional use. Commissioner Hanna moved, seconded by Commissioner Cooper, to approve the conditional use application, subject to the following staff comments:

- Construction must comply with the submitted development plan.
- Changes or amendments to the plan are permitted but limited to those described in Section 27.329.8 of the UDO.
- All proposed exterior lighting must comply with the UDO Commercial and Outdoor Lighting requirements.
- If a dumpster is proposed, it must be completely screened and comply with the UDO.
- If signage is proposed, they must submit a signage application for staff review and approval before installation.

Chairman Keesee called for a vote. The vote was 8 in favor and 0 opposition. Chairman Keesee announced the request was approved.

- 8. Home Occupation #3-4-19; A request by Mamie Feimster, owner, for a mobile ice cream truck at 2410 North 32nd Street.**

Chairman Keesee introduced item 8. Ms. Maggie Rice read the staff report indicating the approval of the home occupation request would allow for the operation of a mobile ice cream truck, to be housed in the garage of the residence when not in use.

Mamie Feimster was present to represent application.

No one was present to speak in opposition of these applications.

Chairman Keesee called for a motion on the home occupation. Commissioner Cooper moved, seconded by Commissioner Sharpe, to approve the home occupation application, subject to the following:

- Compliance with UDO Section 27-338-F Minimum Requirements for Consideration
- The business license is nontransferable to another location without a new home occupation request.

Chairman Keesee called for a vote. The vote was 8 in favor and no opposition. Chairman Keesee announced the item was approved.

There being no further business, the meeting adjourned at approximately 6:00 p.m.